

Application No. 09/408,965
Attorney Docket No. 22-0056

REMARKS

The present application includes claims 1-55. Claims 1-52 were allowed by the Examiner. Claims 53-55 were rejected. By this Amendment, claim 53 has been amended and the present application has been amended to become a continuation-in-part of U.S. Patent No. 6,452,962.

Claim 53 was rejected under 35 U.S.C. §112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claim 52 has been amended as indicated by the Examiner.

Claims 54 and 55 were rejected under 35 U.S.C. §102(b) as being anticipated by Linsky, U.S. Patent No. 6,452,962.

Claim 53 was rejected under 35 U.S.C. §103(a) as being unpatentable over Linsky in view of Petch, U.S. Patent No. 6,243,372.

With regard to the rejection of claims 54 and 55 as anticipated by Linsky and the rejection of claim 53 as obvious in light of the combination of Linsky and Petch, the present application has been amended to include a claim of priority to Linsky as a continuation-in-part (CIP) of Linsky. The present application and Linsky share the inventors Stuart T. Linsky, Gregory S. Caso and David A. Wright. The present application was filed September 29, 1999, before the issuance of Linsky on September 17, 2002. Additionally, the present application has been amended by this amendment to include a specific reference to Linsky as a CIP. Finally, the because the present

Application No. 09/408,965
Attorney Docket No. 22-0056

application was filed on September 29, 1999, before the cut off date of November 29, 2000, no fee is due.

Consequently, because the present application has been amended to claim priority to Linsky, Linsky is no longer available to be cited as prior art. Consequently, the rejection of claims 54 and 55 as anticipated by Linsky and the rejection of claim 53 as obvious in light of the combination of Linsky and Petch are respectfully traversed.

Consequently, the Applicant respectfully submits that claims 53-55 are allowable.

Application No. 09/408,965
Attorney Docket No. 22-0056

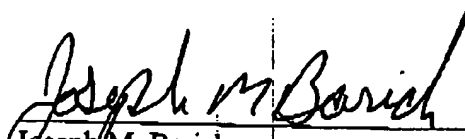
CONCLUSION

If the Examiner has any questions or the Applicant can be of any assistance, the Examiner is invited and encouraged to contact the Applicant at the number below.

The Commissioner is authorized to charge any necessary fees or credit any overpayment to the Deposit Account of McAndrews, Held & Malloy, Account No. 13-0017.

Respectfully submitted,

Date: August 25, 2003


Joseph M. Barich
Registration No. 42,291

MCANDREWS, HELD & MALLOY, LTD.
500 West Madison Street, 34th Floor
Chicago, IL 60661

Telephone: (312) 775-8000
Facsimile: (312) 775-8100

FAX RECEIVED
AUG 26 2003
GROUP 2606

OFFICIAL